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 15 MOSAIC TILE SUPPLIES, LLC

16 **UNITED STATES DISTRICT COURT**
 17 **NORTHERN DISTRICT OF CALIFORNIA**

19 SUNSET MOUNTAINS, INC., d/b/a MOSAIC
 20 TILE MARKET. a California corporation,

Civil Action No. C 07 4007 (PJH)

21 Plaintiff,
 v.
**STIPULATED CONSENT MOTION
 REGARDING MEDIATION DEADLINE
 AND [PROPOSED] ORDER**

22 MOSAIC TILE SUPPLIES, LLC, a Texas
 23 limited liability company,

24 Defendant.

26 The undersigned parties hereby request that the deadline for participating in mediation in this
 27 action be extended for a period of at least ninety (90) days.

28 The parties originally asked the Court for a deadline of April 15, 2008, by which to participate in

1 mediation with a Court-appointed mediator.

2 The Court appointed Jack L. Slobodin to mediate the present action. The parties, through their
3 counsel, and Mr. Slobodin held a conference call on or about February 27, 2008. At that time, they
4 scheduled a one day mediation to be held in San Francisco on April 15, 2008.

5 On April 8, 2008, the parties were contacted by Mr. Slobodin's office and informed that Mr.
6 Slobodin would no longer be able to serve as the parties' mediator on April 15 due to the continuation of
7 a trial in another jurisdiction. Mr. Slobodin is still available to serve as the parties' mediator at a later
8 date. The parties are currently working together with Mr. Slobodin to schedule that date. The parties,
9 through their counsel, have also communicated with Robin Siefkin of the Court's ADR program
10 regarding this change in scheduling necessitated by the continuation in Mr. Slobodin's trial.

11 For the reasons stated above, the parties respectfully request that the Court grant a ninety (90)
12 day extension of the deadline by which they must participate in mediation. The requested reset deadline
13 for mediation is July 14, 2008.

14
15 Dated: April 22, 2008

By _____/Judith M. Schwimmer/ _____
16 Paul W. Vapnek
17 Judith M. Schwimmer
18 Attorneys for Plaintiff and Counterclaim Defendant
SUNSET MOUNTAINS, INC., d/b/a MOSAIC TILE
MARKET

19 Dated: April 22, 2008

By _____/Donald E. Morris/ _____
20 John W. Dozier, Jr.
Donald E. Morris
Lewis T. Mann
21 Attorneys for Defendant and Counterclaimant
MOSAIC TILE SUPPLIES, LLC

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1 **[PROPOSED] ORDER**

2 The Court finds that, the parties having been scheduled to participate in mediation on April 15,
3 2008, with Court-appointed mediator Jack L. Slobodin, and that mediation being postponed due to a
4 change in Mr. Slobodin's schedule, shall have through July 14, 2008, to complete mediation.

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6 **IT IS SO ORDERED.**

7 Dated: _____

8 Honorable Phyllis J. Hamilton
9 UNITED STATES DISTRICT JUDGE

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